

(1) PETITION TO ESTABLISH VISITATION (Common Pleas)
(Parents Never Married)

(2) MOTION TO ESTABLISH VISITATION (Common Pleas)
(Prior court case, but visitation never addressed)

(3) PETITION TO ESTABLISH VISITATION (Juvenile Court)
(Current or prior case through Juvenile Court)

1. Pro Se Letter
2. Pro Se Packet
3. Poverty Affidavit
4. Entry
5. Affidavit Required by R.C. 3109.27
6. Judgment Entry
7. Grievance Form

PETITION TO ESTABLISH VISITATION
(Prior Juvenile Court Case)

By accepting these forms, the recipient expressly acknowledges that no legal advice has been rendered.

INSTRUCTIONS

Attached is a form petition requesting visitation rights. These instructions are intended to be a general guide to help you get the request properly before the Judge. These instructions are not intended to be a legal analysis of your request or whether you should win your petition. They are merely to assist you in preparing and presenting your request.

A. FILLING OUT THE FORM

NOTE: IF PATERNITY HAS NOT BEEN ESTABLISHED, PROVIDE THE INFORMATION REQUESTED AT THE TOP OF THE FORMS. YOU WILL NOT HAVE A CASE NUMBER UNTIL YOU FILE WITH THE CLERK. YOU ARE THE PETITIONER, THE OTHER PARENT IS THE RESPONDENT.

1. You should fill out the form before you go to the Courthouse to file it. Other than telling you the proper case number, the Clerk of Courts staff will not help you in completing the form.

2. **IF PATERNITY HAS BEEN ESTABLISHED** - At the top, fill in the names of the parties and the case number. This information is available from the papers filed in the Juvenile Court paternity proceeding or on other papers that have been previously filed with the Court. If you do not have the case number, you can get it from the Clerk of Courts when you go to file the Petition.

3. In the first paragraph, print your name in the blank and cross out either mother or father (whichever does not apply to you) and state all the reasons why you feel you are entitled to visitation.

4. You must sign the form and print your current address. Do this on the three lines under the words "Respectfully Submitted."

5. Under the words "Instructions for Service" print the name of your child's other parent in the first blank and the street address, city, state and zip code in the second blank. You must have a valid address for the Clerk's office to mail the petition to. If you do not have a valid address, don't bother to try to file the petition without it. The Judge has no authority to grant

your petition unless the opposing party has been served with a copy of it and has been given an opportunity to be heard on the petition. Sign your name on the line below the Instructions for Service.

6. Enclosed is a Child Custody Affidavit (Parenting Affidavit) along with instructions. This must be filled out and filed along with the rest of the forms.

7. You will need to get a certified copy of the birth certificate of the minor child.

B. FILING THE PETITION

1. After the form is filled out, make two copies of it and go to the office of the Clerk of Courts of the Juvenile Court of the county where paternity was established in court or where the child has been living for the past 180 days if there never has been a court case involving the child/children previously.

2. There is a filing fee which varies from county to county. This is to be paid in cash or by money order. The Clerk's office will not accept a personal check. If you cannot afford the filing fee, you may be able to file a poverty affidavit with your petition, instead of a fee. This form is provided along with instructions. If you use this form, you may be asked to verify your income. Be prepared to submit proof of income.

3. Ask the Clerk's staff about how the hearing date is set as the other parent has 28 days to file an answer to the petition before a hearing date can be set by the court. The procedure is different in each county.

4. Also ask the Clerk for a copy of the Visitation Guidelines.

5. The Clerk's staff will take the original and one copy of the Petition. You should ask the Clerk to time-stamp your copy of the Petition. This is your proof that you filed it.

C. PREPARATION FOR THE HEARING

1. It helps a lot if you are prepared for the hearing. You should dress as you would for a job interview and have with you any witnesses that you wish to use to support your request. You should also have with you any papers or other physical evidence that you want the Judge to see.

2. You will probably testify first and should be prepared to tell the judge all of the reasons why you want visitation. This is the only chance you will have to present the facts, so make sure you include everything.

3. At the hearing you may be asked questions by the Judge or by the other party or by an attorney. Be directly responsive to the questions. Listen to the question and make sure that you provide the information that you are asked for. If you do not understand the question or are not sure what you are being asked, you have the right to have the question explained to you before answering it.

YOU, THE OTHER NATURAL PARENT, AND THE MINOR CHILD ARE ENTITLED TO A COURT-APPOINTED ATTORNEY. IF YOU ARE NOT SATISFIED WITH THE WAY THINGS ARE GOING AND ARE HAVING DIFFICULTIES, YOU SHOULD ASK FOR A COURT-APPOINTED ATTORNEY.

GOOD LUCK!

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF:

CASE NO. _____

Minor Child/Children

JUDGE _____

(Name)

MAGISTRATE JUDGE _____

(Address)

Petitioner,

v.

(Name)

(Address)

Respondent.

**PETITION TO ESTABLISH
VISITATION**

I, _____, natural mother/father petitions this Honorable Court to
establish visitation rights for the above-named child(ren). I am entitled to visitation because: _____

A hearing is requested to enable me to establish these facts as true.

Respectfully submitted,

NOTICE OF HEARING

Take notice that a hearing will be held on the foregoing Motion in the _____
County (Juvenile Court/Court of Common Pleas) at _____ o'clock _____.m. on the _____
day of _____, 20 ____.

INSTRUCTIONS FOR SERVICE

Please serve a copy of the foregoing upon _____ by certified
mail, return receipt requested at the following address: _____
_____.

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF:

CASE NO. _____

Minor Child/Children

JUDGE _____

(Name)

MAGISTRATE JUDGE _____

(Address)

Petitioner,

v.

(Name)

(Address)

Respondent.

AFFIDAVIT REQUIRED
BY R.C. 3109.27

Before me, the undersigned authority, personally appeared _____,
who being first duly sworn and cautioned to law, deposes and says that the following information
submitted to the Court as evidence is true to the best of the Affiant's knowledge and belief:

1. I am a party in the above-captioned case.
2. The names and ages of the minor children are:

Full Name

Date of Birth

3. The children's present address is: _____

4. In the last five (5) years the child(ren) has/have resided at the following places and
with the following adults other than myself and my former spouse.

IN THE COURT OF COMMON PLEAS, _____ COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF:

CASE NO. _____

Minor Child/Children

JUDGE _____

(Name)

MAGISTRATE JUDGE _____

(Address)

Petitioner,

v.

(Name)

(Address)

Respondent.

AFFIDAVIT OF INDIGENCY

STATE OF OHIO :

:SS

COUNTY OF _____ :

I, _____, being first duly cautioned and sworn as prescribed by law, say that I own no real property and I have no savings. My sole source of income is _____ per month in _____ benefits. I therefore have no funds or assets from which to pay the filing fees and other court costs in this case.

Affiant

SWORN to and affirmed in my presence this ___ day of _____, 2000.

Notary Public

IN THE COURT OF COMMON PLEAS, _____ COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF:

CASE NO. _____

Minor Child/Children

JUDGE _____

(Name)

MAGISTRATE JUDGE _____

(Address)

Petitioner,

v.

(Name)

(Address)

Respondent.

ENTRY

Pursuant to the request of Petitioner, and for good cause shown, it is hereby ORDERED that the attached Petition to Establish Visitation be accepted without prepayment of the costs.

JUDGE

IN THE COURT OF COMMON PLEAS, _____ COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF:

CASE NO. _____

Minor Child/Children

JUDGE _____

(Name)

MAGISTRATE JUDGE _____

(Address)

Petitioner,

v.

(Name)

(Address)

Respondent.

JUDGMENT ENTRY

The Court finding it to be in the child(ren)'s best interest, it is hereby ORDERED, ADJUDGED, and DECREED that _____ is granted the right to reasonable visitation in accordance with the Standard Visitation Order of the Court, with the parties minor child(ren), namely: _____

JUDGE